

UNITED STATES BANKRUPTCY COURT
FOR THE MIDDLE DISTRICT OF PENNSYLVANIA

In re:

CLAUDE C. MOLLENTHIEL and
TAMAYO MOLLENTHIEL

* Debtor(s)

Case Number: 5-19-03635

Chapter: 13

CERTIFICATE OF MAILING

The undersigned employee in the office of:

Tullio DeLuca, Esquire

hereby certifies that a copy of the attached Notice and Motion to Approve Loan Modification was mailed today to all parties named on the mailing list attached hereto by regular first class mail.

DATED: December 21, 2022

SIGNED: Lisa Marchak

TITLE: /s/Legal Assistant

**IN THE UNITED STATES BANKRUPTCY COURT
FOR THE MIDDLE DISTRICT OF PENNSYLVANIA**

IN RE:

CHAPTER 13

CLAUDE C. MOLLENTHIEL
a/k/a Claude C. Mollenthiel
a/k/a Claude Mollenthiel

TAMAYO MOLLENTHIEL
a/k/a Tamayo S. Mollenthiel
a/k/a Tamayo Shimosakoda Mollenthiel

Debtor(s)

CASE NO. 5-19-03635

NOTICE TO CREDITORS AND OTHER PARTIES IN INTEREST

NOTICE OF OPPORTUNITY TO OBJECT AND HEARING: Pursuant to Local Rule 2002-1(a), the Court will consider this motion, objection, or other matter without further notice or hearing unless a party in interest files an objection/response on or before January 11, 2023. If you object to the relief requested, you must file your objection/response with the Clerk of Court and serve a copy on the movant and movant's attorney, if one is designated.

If you file and serve an objection/response within the time permitted, the Court may schedule a hearing and you will be notified. If you do not file an objection within the time permitted, the Court will deem the motion unopposed and proceed to consider the motion without further notice or hearing, and may grant the relief requested.

DATE: December 21, 2022

Tullio DeLuca, Esquire
PA ID# 59887
Attorney for Debtors/Movants
381 N. 9th Street
Scranton, PA 18504

Clerk, U.S. Bankruptcy Court
197 South Main Street
Wilkes-Barre, PA 18701

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MOTION TO APPROVE LOAN MODIFICATION

AND NOW COMES, the Debtors, Claude C. and Tamayo Mollenthiel, by and through their attorney, Tullio DeLuca, Esquire, and respectfully represents:

1. That the Debtors filed a Chapter 13 Petition with the United States Bankruptcy Court for the Middle District of Pennsylvania.

2. Jack N. Zaharopoulos, Esquire was appointed the standing Chapter 13 Trustee.

3. Debtor currently has applied for a modification with DePalma Acquisition, I, LLC.

4. Debtor has applied for a loan modification with DePalma Acquisition I, LLC. The loan modification has been approved contingent upon Bankruptcy Court approval. The loan modification agreement has been provided to the Debtor. Court approval is required by the lender before they will execute the agreement. I have been asked by the lender as counsel for the Debtors to obtain said approval. Concurrence in the Motion is implied by the documents

5. The terms of the modification are as follows:

The new interest rate is 7.3% and monthly payments of \$1324.25 starting in November 1, 2022. This payment includes principal and interest.

6. Approval of the loan modification shall not constitute a violation of the automatic stay and DePalma Acquisition, I, LLC shall be granted permission to enter into a loan modification with the Debtors.

WHEREFORE, the Debtors respectfully request that this Honorable Court grant the Debtor's Motion to Approve Loan Modification in the above case and grant DePalma Acquisition, I, LLC permission to enter into a loan modification with the Debtors.

Respectfully submitted,

Dated: December 20, 2022

/s/Tullio DeLuca
Tullio DeLuca, Esquire
PA ID # 59887
381 N. 9th Avenue
Scranton, Pa 18504
(570) 347-7764
Attorney for Debtors

IN THE UNITED STATES BANKRUPTCY COURT
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IN RE:

CHAPTER 13

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a/k/a Tamayo Shimosakoda Mollenthiel

Debtor(s)

CASE NO. 5-19-03635

CERTIFICATE OF SERVICE

The undersigned hereby certifies that on December 20, 2022, he caused a true and correct copy of Debtor's Amended Motion to Approve Loan Modification to be served on the following CM/ECF users at the following:

Jack N. Zaharopoulos, Esq. at info@pamd13trustee.com

Dated: December 20, 2022

/s/Tullio DeLuca
Tullio DeLuca, Esquire

**IN THE UNITED STATES BANKRUPTCY COURT
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IN RE:

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a/k/a Tamayo Shimosakoda Mollenthiel

CASE NO. 5-19-03635

Debtor(s)

ORDER

Upon consideration of Debtors' Motion to Approve Loan Modification:

ORDERED, that the Debtors' Motion to Approve Loan Modification is hereby
GRANTED; and it is further

ORDERED, that approval of the loan modification shall in no way continue a
violation of the automatic stay; and it is further

ORDERED, that DePalma Acquisition I, LLC is granted permission to enter into
a loan modification with the Debtors.

Borough of East Stroudsburg
24 Analomink Street
East Stroudsburg, PA 18301-2801

Capital One
PO Box 30285
Salt Lake City, UT 84130-0285

Creative Mobile Technologies, LLC
42-32-21st Street
Long Island City, NY 11101

CreditOne
P.O. Box 98873
Las Vegas, NV 89193-8873

Jack Zaharopoulos (Trustee)
8125 Adams Drive, Suite A
Hummelstown, PA 17036-8625

DePalma Acquisition I LLC
c/o Field Point Servicing LLC
P.O. Box 671
Port Chester, NY 10573-0671

East Stroudsburg Borough
24 Analomink St.
P.O. Box 303
East Stroudsburg, PA 18301-0303

Enhanced Recovery Company
P.O. Box 57547
Jacksonville, FL 32241-7547

Field Point Capital Management
35 Vista Dr.
Greenwich, CT 06830-7128

David Fitzgibbon
Stradley Ronon Stevens & Young LLP
Great Valley Corporate Center
30 Valley Stream Parkway
Malvern, PA 19355-1462

John C. Prevoznik, Esq.
47 South Courtland Street
East Stroudsburg, PA 18301-2872

LVNV Funding LLC
P.O. Box 10497
Greenville, SC 29603-0497

LVNV Funding, LLC
Resurgent Capital Services
PO Box 10587
Greenville, SC 29603-0587

Lehigh Valley United
1344 North Sherman St.
Allentown, PA 18109

Linebarger Goggan Blair & Sampson,
LLP
P.O. Box 90128
Harrisburg, PA 17109-0128

MRC Recovery Inc.
111 College Rd. #14
Selden, NY 11784-2800

Midland Credit Management
2365 Northside Drive, Ste. 300
San Diego, CA 92108-2709

NY State Dept. of Taxation & Finance
Bankruptcy Section
P.O. Box 5300
Albany, NY 12205-0300

PA Dept. of Revenue
Bankruptcy Division
Dept. 280946
Harrisburg, PA 17128-0496

PNC Bank
Consumer Loan Center
Mailstop: P5-PCLC-02-R
2730 Liberty Ave.
Pittsburgh, PA 15222-4704

PNC Bank, National Association
3232 Newmark Drive
Miamisburg, OH 45342-5421

PRA Receivables Management, LLC
PO Box 41021
Norfolk, VA 23541-1021

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One Penn Center Plaza
1617 JFK Blvd, Ste. 1400
Philadelphia, PA 19103-1814

PORTFOLIO RECOVERY
ASSOCIATES LLC
PO BOX 41067
NORFOLK VA 23541-1067

Powell, Rogers & Speaks
P.O. Box 61107
Harrisburg, PA 17106-1107

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Stradley, Ronon, Stevens & Young, LLP
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Philadelphia, PA 19103-7098

Resurgent Capital Services
PO Box 10587
Greenville, SC 29603-0587

Rubin & Rothman, LLC
1787 Veterans Highway
Islandia, NY 11749-1500

Synchrony Bank
c/o PRA Receivables Management, LLC
PO Box 41021
Norfolk, VA 23541-1021

United States Trustee
228 Walnut Street, Suite 1190
Harrisburg, PA 17101-1722

Vladimire Kaplan, et al
c/o Andrew L. Statmore
Fredson & Statmore, LLC
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Clifton, NJ 07013-2725

James Warmbrodt
701 Market Street Suite 5000
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